



## Department of Energy

Bonneville Power Administration  
P.O. Box 3621  
Portland, Oregon 97208-3621

SHARED SERVICES

January 6, 2003

In reply refer to: CILR-4

Mr. Tim Detzel  
Newhouse News Service  
1101 Connecticut Ave. N.W., Suite 300  
Washington, D.C. 20036

Dear Mr. Detzel:

Thank you for the letter of January 2, 2003. The request was received by the FOIA Office on January 6, 2002, has been logged as #03-015, and two Authorizing Officials have been designated.

Specifically, you ask for all written or electronic communications between Bonneville Power Administration (BPA) and Northwest members of congress during the period from December 31, 2000 to the present. You asked that any documents, reports, fact sheets or other information generated by BPA to accompany the requested communications also be included.

Mr. Edward F. Mosey, Public Affairs Specialist, has been designated as Authorizing Official for this portion of your request. Should you have any questions, he may be reached at Mail Stop DM-7, or by calling 503-230-5359.

You further requested copies of any BPA audits, internal or external, that examine energy trading practices, including the agency's use of options or other derivatives.

Mr. Michael P. Sparks, Manager, Audit, has been designated as Authorizing Official for this last portion of your request.

In your letter you request a waiver of fees as allowed under the FOIA. Your request for a fee waiver is denied because you have not provided enough information with your request for BPA to adequately determine whether you qualify for a waiver as set forth in 10 CFR § 1004.9. As a representative of the news media, however, BPA will provide documents for the cost of reproduction at 5 cents per page, excluding charges for the first 100 pages. Since you have also stated that should we decline the waiver, you will pay fees up to \$100.00, BPA will process your

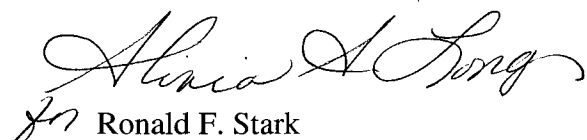
request and assess charges under the category of a requester who is a representative of the news media. Should BPA estimate fees to exceed \$100.00, you will be notified.

You also requested expedited processing of your request. Your request for expedited processing is also denied, as you have not demonstrated a compelling need for expedited processing. A compelling need which would entitle a requester to expedited processing would be demonstrated when a requester presents information to indicate that the failure to obtain the requested records on an expedited basis could (1) reasonably be expected to pose an imminent threat to the life or physical safety of an individual; or, (2) with respect to a request made by a person primarily engaged in disseminating information, urgency to inform the public concerning actual or alleged Federal Government activity. A demonstration of a compelling need shall be made by a certified statement by a person to be true and correct to the best of such person's knowledge.

Mr. Mosey and Mr. Sparks have 20 working days, until February 4, 2003, to provide a response to your FOIA request.

If you are dissatisfied with this determination on your request for a fee waiver and request for expedited processing, you may appeal within 30 days from the date you receive this letter to the Director, Office of Hearings and Appeals, Department of Energy, 1000 Independence Avenue, SW, Washington, D.C. 20585. The appeal must be in writing and both the envelope and letter must be clearly marked "Freedom of Information Act Appeal."

Sincerely,

  
for Ronald F. Stark  
Freedom of Information Act Officer

bcc:

R. Stark – CIL-1

E. Mosey – DM-7

M. Sparks – KN-7

J. Bennett – LC-7

C. Jacobson – LC-7

Official File – CILR (EX 13-13, 03-015)

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